

REMARKS

In paragraph 4, the Examiner has requested that claims 84, 106 and 127 be amended based on an agreement between Mr. Snyder and Examiner Sherr in an interview on October 3, 2006. Mr. Snyder no longer represents Applicants. Applicants believe that the suggested revisions are moot in view of the new grounds of rejection. In the interest of compact prosecution, Applicants respectfully request that the Examiner examine the pending claims as amended in this Response, as they are related to the current rejections and cited references.

In paragraph 8 of the Action, the Examiner requests that a reference to the prior parent application be inserted as the first sentence of this application pursuant to 37 CFR 1.76. The specification has been amended to comply with the Examiner's request.

In paragraph 9 of the Action, the Examiner objects to claims 88, 94, 110, 115, 131 and 136 for including abbreviations. Claims 88, 94, 110, 115, 131 and 136 have been amended to remove the abbreviations and to insert the abbreviated language. Additionally, the Examiner objected to claim 123 for containing a typographical error. Claim 123 has been amended to remove the typographical error.

In paragraph 10 of the Action, the Examiner rejects claims 84-92 and 94-104 under 35 U.S.C. 102(b) as being anticipated by, or, in the alternative, under 35 U.S.C. 103(a), as obvious over Wyman (U.S. Patent No. 5,204,897) in view of Applicants Admitted Prior Art (APA).

In paragraph 11 of the Action, the Examiner rejects claims 84-92 and 94-104 under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a), as obvious over Ross (U.S. Patent No. 5,553,143) in view of Applicants Admitted Prior Art (APA).

In response to these rejections, claims 87 and 93 have been cancelled and claims 84, 85, 97, 106 and 127 have been amended.

Amended claim 84 now recites:

84. (currently amended) In a computer operating environment comprising a software program and a software resource, an apparatus for limiting use of said software resource by said software program, comprising:

an access authorization indicator included in the software program associating the software program and a software resource, said access

authorization indicator comprising one or more license terms to allow said software program to use said software resource; and

a digital signature of said access authorization indicator.

The features recited in claim 84 enable the enforcement of a “per-program” licensing scheme for a resource library where the resource library is licensed only for use with particular software programs, as well as site license and other licensing schemes.

Neither Wyman nor Ross show or suggest “an access authorization indicator included in the software program for associating the software program and a software resource,” as claimed.

Wyman discloses a license management system including a “calling card” mechanism for a first user node to make a call to a license manager to use a software product located on second user node. *See* Abstract. The “calling card” mechanism is clearly described at column 13, lines 18-28 as follows:

[I]f product 17a wishes to make a remote procedure call to a feature of product 17b running on a different user node 16, it makes a call to its server 13 including a request for a calling card, and if permitted, the return to product 17a includes a calling card 49a. The product 17a then makes a call to product 17b in the usual manner of RPCs, sending along the calling card 49a, which the product 17b then verifies by a call to its server 13 before executing the called procedure and issuing its return to the product 17a. The feature of calling cards is important for distributed applications.

Thus, Wyman discloses a distributed system where a calling card is provided and verified by a separate software program. The calling card is not included in the software program that is requesting access to the feature. By contrast, Applicants’ apparatus includes a software program and software resource running on the apparatus, where the software program includes an access authorization indicator (which includes licensing terms) for allowing the software program to use the software resource, as claimed.

Ross fails to cure the deficiencies of Wyman. Like Wyman, Ross discloses a distributed system where licenses are created independent of the product and stored in a license extraction database; not in the software program requesting the license. *See, e.g.,* 2:59-65; 6:22-23; 7:1-5.

More particularly, Ross fails to show or suggest an apparatus that includes a software program and software resource running on the apparatus, where the software program includes an access authorization indicator for allowing the software program to use the software resource, as claimed.

For the foregoing reasons, claim 84 is distinguished over the cited references. Applicants respectfully request that the Examiner withdrawal his rejections of claim 84 and allow claim 84, as amended.

Claims 85, 86, 88-92 and 94-105 depend from claim 84, and are allowable for the same reasons as claim 84, and for the independent subject matter recited therein. Applicants respectfully request that the Examiner withdrawal his rejections of dependent claims 85, 86, 88-92 and 94-105, and allow claims 85, 86, 88-92 and 94-105, as amended.

Amended claim 106 now recites:

106. (currently amended) In a computer operating environment, a method for limiting use of a software resource by a software program comprising:

receiving a request from a software program to use a software resource;

obtaining an access authorization indicator from said software program with said software resource, said access authorization indicator comprising one or more license terms to allow said software program to use said software resource; and,

obtaining a digital signature of said access authorization indicator.

Neither Wyman nor Ross show or suggest "obtaining an access authorization indicator from said software program," as claimed.

As previously argued for claim 84, Wyman and Ross are distributed systems that provide calling cards and licenses, respectively, through servers or databases, and do not include a calling card or license in the software program requesting the calling card or license. By contrast, the Applicants' claimed method obtains an access authorization indicator (which includes licensing terms) from the software program to allow the program to use the software resource, as claimed.

For the foregoing reasons, claim 106 is distinguished over the cited references. Applicants respectfully request that the Examiner withdrawal his rejections of claim 106 and allow claim 106, as amended.

Claims 107-126 depend from claim 106, and are allowable for the same reasons as claim 106, and for the independent subject matter recited in those dependent claims. Applicants respectfully request that the Examiner withdrawal his rejections of dependent claims 107-126, and allow claims 107-126, as amended.

127. (currently amended) A program storage device readable by a machine, tangibly embodying a program of instructions executable by the machine to perform a method for limiting use of a software resource by a software program, said method comprising:

receiving a request from a software program to use a software resource;

obtaining an access authorization indicator from said software program with said software resource, said access authorization indicator comprising one or more terms of license to allow said software program to use said software resource; and,

obtaining a digital signature of said access authorization indicator.

As previously argued for claims 84 and 106, Wyman and Ross are distributed systems that provide calling cards and licenses, respectively, through servers or databases, and do not include a calling card or license in the software program requesting the calling card or license. By contrast, the Applicants' claimed method obtains an access authorization indicator (which includes licensing terms) from the software program to allow the program to use the software resource, as claimed.

For the foregoing reasons, claim 127 is distinguished over the cited references. Applicants respectfully request that the Examiner withdrawal his rejections of claim 127 and allow claim 127, as amended.

Claims 128-147 depend from claim 127, and are allowable for the same reasons as claim 127, and for the independent subject matter recited in those dependent claims. Applicants

respectfully request that the Examiner withdrawal his rejections of dependent claims 128-147, and allow claims 128-147, as amended.

Please apply the required fee of \$450 for the Petition for Extension of Time fee and any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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